

Adopted	Rejected
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## COMMITTEE REPORT

YES: 9

NO: 0

### MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred Senate Bill 300, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 2, line 5, delete "JULY 1, 2006]:" and insert "UPON
- 2       PASSAGE]:".
- 3       Page 3, line 42, after "been" insert "**substantially**".
- 4       Page 4, line 6, after "(a)" insert "**This section applies to claims filed**
- 5       **with the division after December 31, 2005.**
- 6       **(b)**".
- 7       Page 4, line 16, strike "(b)" and insert "**(c)**".
- 8       Page 4, line 18, strike "(c)" and insert "**(d)**".
- 9       Page 4, line 18, delete "(a) and".
- 10      Page 4, line 18, after "(b)" delete "," and insert "**and (c),**".
- 11      Page 5, line 13, delete "(d)" and insert "**(e)**".
- 12      Page 5, line 17, delete "(e)" and insert "**(f)**".
- 13      Page 7, line 25, delete "forensic and evidence".
- 14      Page 7, line 26, delete "gathering".
- 15      Page 7, line 26, strike "services" and insert "**a forensic medical**
- 16      **exam**".

1 Page 7, line 27, reset in roman "the".

2 Page 7, line 27, delete "forensic and evidence gathering".

3 Page 7, line 27, strike "services" and insert **"forensic medical exam**  
4 **described in IC 16-21-8-6"**.

5 Page 7, line 34, after "(b)" insert **"When a hospital acting under**  
6 **IC 16-21-8 provides additional forensic services to an alleged sex**  
7 **crime victim who cooperates with law enforcement under**  
8 **IC 16-21-8-5(b) or IC 16-21-8-5(c), the hospital shall furnish the**  
9 **additional forensic services without charge. The victim services**  
10 **division of the Indiana criminal justice institute shall reimburse a**  
11 **hospital for its costs in providing these services and may adopt**  
12 **rules and procedures to provide for reasonable reimbursement. A**  
13 **hospital may not charge the victim for services required under this**  
14 **chapter even if there is a delay in receiving reimbursement from**  
15 **the victim services division of the Indiana criminal justice institute.**

16 (c) **When a hospital acting under IC 16-21-8 provides additional**  
17 **forensic services to an alleged sex crime victim who does not**  
18 **cooperate with law enforcement under IC 16-21-8-5(b) or**  
19 **IC 16-21-8-5(c), the hospital may seek reimbursement directly from**  
20 **the victim or any third party payer for any additional forensic**  
21 **services rendered by the hospital.**

22 (d)".

23 Page 8, line 5, strike "(c)" and insert "(e)".

24 Page 8, line 6, delete "forensic and".

25 Page 8, line 7, delete "evidence gathering".

26 Page 8, line 7, strike "services" and insert **"a forensic medical**  
27 **exam"**.

28 Page 8, line 9, after "the" strike "services" and insert **"exam"**.

29 Page 8, line 11, strike "the services listed in subsection".

30 Page 8, line 12, strike "(d)" and insert **"forensic medical exams. A**  
31 **medical service provider may not charge the victim for a forensic**  
32 **medical exam required under this chapter even if there is a delay**  
33 **in receiving reimbursement from the victim services division of the**  
34 **Indiana criminal justice institute.**

35 (f) **When a licensed medical service provider not covered by**  
36 **subsection (a) or (b) elects to provide additional forensic services to**  
37 **an alleged sex crime victim who cooperates with law enforcement**  
38 **under IC 16-21-8-5(b) or IC 16-21-8-5(c), the medical service**

provider shall furnish the services without charge. The victim services division of the Indiana criminal justice institute shall reimburse a medical service provider for costs in providing the additional forensic services. A medical service provider may not charge the victim for services required under this chapter even if there is a delay in receiving reimbursement from the victim services division of the Indiana criminal justice institute.

(g) When a medical service provider acting under IC 16-21-8 provides additional forensic services to an alleged sex crime victim who does not cooperate with law enforcement under IC 16-21-8-5(b) or IC 16-21-8-5(c), the medical service provider may seek reimbursement directly from the victim or any third party payer for additional forensic services rendered by the medical service provider.

(h) The victim services division of the Indiana criminal justice institute may reimburse a medical service provider for costs in providing additional forensic services".

Page 8, strike lines line 33 through 34 .

Page 8, line 35, strike "medical service provider for".

Page 8, line 35, delete "the".

Page 8, line 35, after "for" strike "costs".

Page 8, line 36, delete "of providing forensic and evidence gathering services."

Page 9, strike lines 2 through 4.

Page 9, line 5, strike "(e)" and insert "(i)".

Page 9, between lines 11 and 12, begin a new paragraph and insert:  
"SECTION 19. IC 5-2-6.1-41 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 41. The fund consists of amounts deposited under IC 33-37-7-9, **IC 34-51-3-6**, and IC 35-50-5-3 and appropriations from the general assembly.

SECTION 20. IC 16-18-2-1.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 1.8. "Additional forensic services"**, for purposes of IC 16-21-8, means the following:

(1) Initial pregnancy and sexually transmitted disease testing related to an alleged sex crime.

(2) Prophylactic medication related to pregnancy, pregnancy testing, or sexually transmitted disease testing. However, this

- 1           subdivision does not include HIV prophylactic medication that
- 2           may be paid at the discretion of the victim services division of
- 3           the Indiana criminal justice institute.
- 4           **(3) Alcohol and drug testing.**
- 5           **(4) Syphilis testing up to ninety (90) days after an alleged sex**
- 6           **crime.**
- 7           **(5) Pregnancy testing up to thirty (30) days after an alleged**
- 8           **sex crime.**
- 9           **(6) Mental health counseling concerning problems directly**
- 10          **related to an alleged sex crime."**
- 11          Page 9, line 14, delete "and evidence" and insert "**medical exam**",
- 12          Page 9, line 15, delete "gathering services",
- 13          Page 9, delete lines 20 through 28.
- 14          Page 9, line 29, delete "(7)" and insert "**(2)**".
- 15          Page 9, delete lines 31 through 32.
- 16          Page 9, line 37, delete "and evidence gathering" and insert "**medical**
- 17          **exams and additional forensic**".
- 18          Page 9, line 41, delete "and" and insert "**medical exams and**
- 19          **additional forensic**".
- 20          Page 9, line 42, delete "evidence gathering".
- 21          Page 10, line 3, delete "and evidence gathering" and insert "**medical**
- 22          **exams and additional forensic**".
- 23          Page 10, line 18, delete "and evidence gathering" and insert
- 24          "**medical exams and additional forensic**".
- 25          Page 10, line 20, delete "and evidence gathering" and insert
- 26          "**medical exams and additional forensic**".
- 27          Page 10, line 22, delete "and evidence gathering" and insert
- 28          "**medical exams and additional forensic**".
- 29          Page 10, line 26, delete "and evidence gathering" and insert
- 30          "**medical exams and additional forensic**".
- 31          Page 10, line 27, delete "and evidence gathering" and insert
- 32          "**medical exams and additional forensic**".
- 33          Page 10, line 42, delete "and evidence gathering" and insert
- 34          "**medical exams and additional forensic**".
- 35          Page 11, line 4, after "(a)" insert "**The division shall award**
- 36          **compensation or reimbursement under this chapter for forensic**
- 37          **medical exams.**
- 38          **(b)".**

- 1 Page 11, line 4, strike "may not" and insert "**shall**".
  - 2 Page 11, line 5, strike "unless" insert "**for additional forensic**
  - 3 **services if**".
  - 4 Page 11, line 19, strike "(b)" and insert "(c)".
  - 5 Page 11, line 22, strike "(c)" and insert "(d)".
  - 6 Page 11, line 23, delete "and evidence gathering" and insert
  - 7 "**medical exams and additional forensic**".
  - 8 Page 11, line 29, delete "and evidence gathering" and insert
  - 9 "**medical exams and additional forensic**".
  - 10 Page 11, line 31, after "(b)" insert "**When a provider provides**
  - 11 **additional forensic services under section 5(b) and 5(c) of this**
  - 12 **chapter, the provider shall furnish the services without charge.**
  - 13 **(c)**".
  - 14 Page 11, line 34, strike "(c)" and insert "(d)".
  - 15 Page 11, line 36, strike "(d)" and insert "(e)".
  - 16 Page 11, line 39, strike "(e)" and insert "(f)".
  - 17 Page 12, after line 16, begin a new paragraph and insert:
  - 18 "SECTION 31. **An emergency is declared for this act.**".
  - 19 Renumber all SECTIONS consecutively.
- (Reference is to SB 300 as reprinted February 1, 2006.)

**and when so amended that said bill do pass.**

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Representative Ulmer